

1 AMENDMENT TO HOUSE BILL 700

2 AMENDMENT NO. _____. Amend House Bill 700 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing
5 Section 2.26 as follows:

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

7 Sec. 2.26. Deer hunting permits. In this Section, "bona
8 fide equity shareholder" means an individual who (1)
9 purchased, for market price, publicly sold stock shares in a
10 corporation, purchased shares of a privately-held corporation
11 for a value equal to the percentage of the appraised value of
12 the corporate assets represented by the ownership in the
13 corporation, or is a member of a closely-held family-owned
14 corporation and has purchased or been gifted with shares of
15 stock in the corporation accurately reflecting his or her
16 percentage of ownership and (2) intends to retain the
17 ownership of the shares of stock for at least 5 years.

18 In this Section, "bona fide equity member" means an
19 individual who (1) (i) became a member upon the formation of
20 the limited liability company or (ii) has purchased a
21 distributional interest in a limited liability company for a
22 value equal to the percentage of the appraised value of the

1 LLC assets represented by the distributional interest in the
2 LLC and subsequently becomes a member of the company pursuant
3 to Article 30 of the Limited Liability Company Act and who
4 (2) intends to retain the membership for at least 5 years.

5 Any person attempting to take deer shall first obtain a
6 "Deer Hunting Permit" in accordance with prescribed
7 regulations set forth in an Administrative Rule. Deer
8 Hunting Permits shall be issued by the Department. The fee
9 for a Deer Hunting Permit to take deer with either bow and
10 arrow or gun shall not exceed \$15.00 for residents of the
11 State. The Department may by administrative rule provide for
12 non-resident deer hunting permits for which the fee will not
13 exceed \$100 except as provided below for non-resident
14 landowners. Permits shall be issued without charge to:

15 (a) Illinois landowners residing in Illinois who
16 own at least 40 acres of Illinois land and wish to hunt
17 their land only,

18 (b) resident tenants of at least 40 acres of
19 commercial agricultural land where they will hunt, and

20 (c) Bona fide equity shareholders of a corporation
21 or bona fide equity members of a limited liability
22 company which owns at least 40 acres of land in a county
23 in Illinois who wish to hunt on the corporation's or
24 company's land only. One permit shall be issued without
25 charge to one bona fide equity shareholder or one bona
26 fide equity member for each 40 acres of land owned by the
27 corporation or company in a county; however, the number
28 of permits issued without charge to bona fide equity
29 shareholders of any corporation or bona fide equity
30 members of a limited liability company in any county
31 shall not exceed 15.

32 Bona fide landowners or tenants who do not wish to hunt
33 only on the land they own, rent or lease or bona fide equity
34 shareholders or bona fide equity members who do not wish to

1 hunt only on the land owned by the corporation or limited
2 liability company shall be charged the same fee as the
3 applicant who is not a landowner, tenant, ~~or~~ bona fide equity
4 shareholder, or bona fide equity member. Nonresidents of
5 Illinois who own at least 40 acres of land and wish to hunt
6 on their land only shall be charged a fee set by
7 administrative rule. The method for obtaining these permits
8 shall be prescribed by administrative rule.

9 The deer hunting permit issued without fee shall be valid
10 on all farm lands which the person to whom it is issued owns,
11 leases or rents, except that in the case of a permit issued
12 to a bona fide equity shareholder or bona fide equity member,
13 the permit shall be valid on all lands owned by the
14 corporation or limited liability company in the county.

15 The Department may set aside, in accordance with the
16 prescribed regulations set forth in an administrative rule of
17 the Department, a limited number of Deer Hunting Permits to
18 be available to persons providing evidence of a contractual
19 arrangement to hunt on properties controlled by a bona fide
20 Illinois outfitter. The number of available permits shall be
21 based on a percentage of unfilled permits remaining after the
22 previous year's lottery. Eligible outfitters shall be those
23 having membership in, and accreditation conferred by, a
24 professional association of outfitters approved by the
25 Department. The association shall be responsible for setting
26 professional standards and codes of conduct for its
27 membership, subject to Departmental approval. In addition to
28 the fee normally charged for resident and nonresident
29 permits, a reservation fee not to exceed \$200 shall be
30 charged to the outfitter for each permit set aside in
31 accordance with this Act. The reservation fee shall be
32 deposited into the Wildlife and Fish Fund.

33 The standards and specifications for use of guns and bow
34 and arrow for deer hunting shall be established by

1 administrative rule.

2 No person may have in his possession any firearm not
3 authorized by administrative rule for a specific hunting
4 season when taking deer.

5 Persons having a firearm deer hunting permit shall be
6 permitted to take deer only during the period from 1/2 hour
7 before sunrise to sunset, and only during those days for
8 which an open season is established for the taking of deer by
9 use of shotgun or muzzle loading rifle.

10 Persons having an archery deer hunting permit shall be
11 permitted to take deer only during the period from 1/2 hour
12 before sunrise to 1/2 hour after sunset, and only during
13 those days for which an open season is established for the
14 taking of deer by use of bow and arrow.

15 It shall be unlawful for any person to take deer by use
16 of dogs, horses, automobiles, aircraft or other vehicles, or
17 by the use of salt or bait of any kind. An area is
18 considered as baited during the presence of and for 10
19 consecutive days following the removal of bait.

20 It shall be unlawful to possess or transport any wild
21 deer which has been injured or killed in any manner upon a
22 public highway or public right-of-way of this State unless
23 exempted by administrative rule.

24 Persons hunting deer must have gun unloaded and no bow
25 and arrow device shall be carried with the arrow in the
26 nocked position during hours when deer hunting is unlawful.

27 It shall be unlawful for any person, having taken the
28 legal limit of deer by gun, to further participate with gun
29 in any deer hunting party.

30 It shall be unlawful for any person, having taken the
31 legal limit of deer by bow and arrow, to further participate
32 with bow and arrow in any deer hunting party.

33 The Department may prohibit upland game hunting during
34 the gun deer season by administrative rule.

1 It shall be legal for handicapped persons, as defined in
2 Section 2.33, to utilize a crossbow device, as defined in
3 Department rules, to take deer.

4 Any person who violates any of the provisions of this
5 Section, including administrative rules, shall be guilty of a
6 Class B misdemeanor.

7 (Source: P.A. 89-715, eff. 2-21-97; 90-225, eff. 7-25-97;
8 90-490, eff. 8-17-97; 90-655, eff. 7-30-98.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law."